

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Charlotte A. Laurent,

File No. 24-CV-02935 (JMB/DJF)

Plaintiff,

v.

ORDER

United States Postal Service, *Zimmerman*,
MN branch; and Rachel Jean Gordon,

Defendants.

Charlotte A. Laurent, self-represented.

Kristen Elise Rau, United States Attorney's Office, Minneapolis, MN, for Defendant
United States Postal Service.

This matter is before the Court on Defendants' Motion to Dismiss. (Doc. No. 11.) Defendant United States Postal Service (USPS) moves to dismiss Plaintiff Charlotte A. Laurent's Complaint for failure to properly serve her complaint within ninety days as required by Rule 4(m) of the Federal Rules of Civil Procedure. *See* Fed. R. Civ. P. 4(m). For reasons explained below, the Court grants the motion.

Laurent initiated civil action against Defendants in Sherburne County District Court. (*See* Doc. No. 1 at 1.) On July 24, 2024, USPS properly removed the case to federal court. (Doc. No. 1-2 at 1.) On July 26, 2024, the Court entered an order directing Laurent to properly serve the Complaint upon the United States as required by Rule 4(i) of the Federal Rules of Civil Procedure. (Doc. No. 6.) The Court alerted Laurent that failure to effectuate proper service could subject the Complaint to dismissal. (*Id.*) On September 30, 2024, the

Court again reminded Laurent that her Complaint would be subject to dismissal for failure to properly serve it within ninety days of filing. (Doc. No. 10.) On October 22, 2024, the ninety-day deadline for proper service passed. On November 14, 2024, USPS moved to dismiss the action without prejudice for Laurent's failure to properly serve the Complaint. (Doc. No. 11.) USPS submitted a declaration by Assistant United States Attorney Kristen E. Rau declaring that Laurent had failed to properly serve the Complaint to the United States or any of the Defendants as of November 14, 2024. (Rau Decl. ¶ 7.) Because the time to do so has now passed, this Court will dismiss the action without prejudice pursuant to Rule 4(m) of the Federal Rules of Civil Procedure.

ORDER

Based on the foregoing, and on all of the files, records, and proceedings herein,
IT IS HEREBY ORDERED THAT:

1. Defendant United States Postal Service's Motion to Dismiss (Doc. No. 11) is GRANTED; and
2. Plaintiff Charlotte Laurent's Complaint (Doc. No. 1) is dismissed without prejudice.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: December 16, 2024

/s/ Jeffrey M. Bryan
Judge Jeffrey M. Bryan
United States District Court